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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/998,203	12/03/2001	Won-Sik Cheong	P67366US0	4417
43569	7590	05/31/2006	EXAMINER	
MAYER, BROWN, ROWE & MAW LLP 1909 K STREET, N.W. WASHINGTON, DC 20006			BOTTS, MICHAEL K	
			ART UNIT	PAPER NUMBER
			2176	

DATE MAILED: 05/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/998,203

Applicant(s)

CHEONG ET AL.

Examiner

Michael K. Botts

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 December 2001 and 19 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>12/1/01; 4/27/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This document is the first Office Action on the merits. This action is responsive to the following communications: The Non-Provisional Application, which was filed on December 3, 2001, which claims priority to a Republic of Korea application, filed as 2001-20237, which was filed on April 16, 2001. Receipt is acknowledge of a Request For Status of Filed Application, which was filed on May 19, 2005.
2. Claims 1-16ave been examined, with claims 1, 15 and 16 being the independent claims.
3. Claims 1-16 are rejected.

Information Disclosure Statement

4. A signed and dated copy of applicant's IDS, which were filed on December 1, 2001 and April 27, 2004, are attached to this Office Action.

The Specification

5. Applicant is required to update the status (pending, allowed, etc.) of all parent priority applications in the first line of the specification. The status of all citations of U.S. filed applications in the specification should also be updated where appropriate.

Claims Rejections – 35 U.S.C. 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. **Claims 1-16** are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Hubbell, et al. (U.S. Patent 5,966,121, issued October 12, 1999) [hereinafter “Hubbell”].

Regarding **independent claim 1**, Hubbell teaches:

An apparatus for authoring multimedia contents with object-based interactivity, which comprises:

a user interfacing means for providing an interface to thereby edit object-based interactive multimedia contents by using a multimedia information editing and authoring tool;

an editorial information processing means for converting the multimedia contents supplied from the user interfacing means on an object basis to the form applicable to an object-based internal material structure supporting the editorial information authoring, storing the converted contents, and changing the form of the interactive multimedia contents information stored as the internal material structure to the file form so as to perform an input or output process of the contents; and

a media coding and decoding means for encoding and decoding the interactive multimedia contents information provided from the editorial information processing means.

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(The invention is claimed in broad functional terms of a multi-media editor. Hubbell teaches the invention claimed for a user interface to an editorial means with a media input and output for authoring multimedia content with object-oriented interactivity. See, Hubbell, col. 1, line 5 through col. 52, line 34.

See also, Hubbell, figures 5-8, and col. 3, lines 19-35, teaching a user interface means.

See also, Hubbell, claims 1, 21, and 32, teaching the interface with input and output of video displays.

See also, Hubbell, abstract, teaching object-oriented design as the preferred embodiment.)

Regarding **dependent claim 2**, Hubbell teaches:

The apparatus as recited in claim 1, wherein the user interfacing means includes:

an interface for inserting or deleting media objects and editing properties characterizing each media object;

an interface for editing a logical relationship between the media objects;

an interface for editing the spatial allocation for the media objects;

an interface for editing the time allocation for the media objects;

an interface for editing the user interactivity for the media objects; and

an interface for displaying information for media objects under editing.

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(See, Hubbell, figures 5-8, and col. 2, line 65 through col. 3, line 35, teaching the user interface with functionality for editing logical, spatial, time, and user interactivity for the media objects, and for displaying information for media objects under editing.)

Regarding **dependent claim 3**, Hubbell teaches:

The apparatus as recited in claim 2, wherein the user interactivity means that a user can manipulate a position of a media object, a display starting time of the media object and a display ending time of the media object during displaying edited and authored interactive multimedia contents.

(See, Hubbell, figures 1-23, and col. 18, line 40 through col. 23, line 42, teaching user interactivity to manipulate position, starting and ending times and display of interactive multimedia contents.)

Regarding **dependent claim 4**, Hubbell teaches:

The apparatus as recited in claim 1, wherein the user interfacing means is implemented by an interface capable of editing exact values by utilizing a keyboard, a graphic user interface (GUI), or both of said two interfaces.

(See, Hubbell, figures 1-23, and col. 18, line 40 through col. 23, line 42, teaching use of a GUI and a keyboard for the user interface.)

Regarding **dependent claim 5**, Hubbell teaches:

The apparatus as recited in claim 1, wherein the editorial information processing means includes:

a data access application program interface for performing information exchange with the user interfacing means;

an object editorial information processor for converting the multimedia editorial information supplied from the outside to the form applicable to the internal material structure and storing the converted multimedia editorial information;

an object-based internal material structure for reading in the object-based interactive multimedia contents stored in a storage to thereby preserve said contents as internal materials, and storing editing and authoring information inputted from the outside as internal materials to thereby edit and author current contents; and

a file input and output processor for performing an input and output process of edited and authored results related to the storage and carrying out the form conversion between the internal materials and input and output files.

(See, Hubbell, figures 1-23, and col. 18, line 40 through col. 23, line 42, teaching data access, conversion of outside data, reading data in storage, storing, and file input and output of data.)

Regarding **dependent claim 6**, Hubbell teaches:

The apparatus as recited in claim 5, wherein the object editorial information processor contains:

a time allocation editorial information processing module for processing editorial information related to the time allocation of each media object;

a spatial allocation editorial information processing module for processing editorial information for the spatial allocation of each media object;

a user interactivity editorial information processing module for processing editorial information for the user interactivity; and

a property and logical structure editorial information processing module for processing editorial information for properties characterizing each media object.

(See, Hubbell, figures 1-23, and col. 18, line 40 through col. 23, line 42, teaching user interactivity to manipulate position, starting and ending times and display of interactive multimedia contents.

See also, Hubbell, Figures 1-23, and col. 18, line 40 through col. 23, line 42, teaching spatial allocation.

See also, Hubbell, figures 1-23, and col. 18, line 40 through col. 23, line 42, teaching use of a GUI and a keyboard for the user interface.

See also, Hubbell, figures 9-23, and col. 18, line 40 through col. 23, line 42, teaching a module for processing editorial information for properties characterizing each media object.)

Regarding **dependent claim 7**, Hubbell teaches:

The apparatus as recited in claim 6, wherein the object editorial information processor further contains an object description information processing module for examining whether information for managing and searching media objects is proper or not, storing said information as internal materials and converting the object description information stored in the internal material structure to the form that the outside can refer to.

(It is noted that an “object description information processing module” is disclosed as a module to check in the putting “editorial information” for proper form, and, if not in proper form, for converting the data to the proper form. See, disclosure, page 11, line 26 through page 12, line 6. Further, it is noted that “editorial information” is defined as including time, spatial, user interactivity, property, and logical structure information. See, disclosure, page 12, lines 7-19.

See, Hubbell, col. 10, line 54 through col. 11, line 27, teaching the importation and modification of various formats of multimedia, with modification to the invention taught.)

Regarding **dependent claim 8**, Hubbell teaches:

The apparatus as recited in claim 6, wherein the object editorial information processor performs the editorial information processing for a higher level authoring, a lower level authoring and the higher and lower level authoring.

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(See, Hubbell, col. 4, lines 33-55, col. 10, lines 4-17, and col. 11, lines 28-36, teaching higher and lower levels of editing as "passive" and "enhanced" editing controls.)

Regarding **dependent claim 9**, Hubbell teaches:

The apparatus as recited in claim 5, wherein the object-based internal material structure supports internal materials for a higher level authoring, those for a lower level authoring and those for the higher and lower level authoring.

(See, Hubbell, col. 4, lines 33-55, col. 10, lines 4-17, and col. 11, lines 28-36, teaching higher and lower levels of editing as "passive" and "enhanced" editing controls.)

Regarding **dependent claim 10**, Hubbell teaches:

The apparatus as recited in claim 5, wherein the file input and output processor contains:

a file analyzing module for reading in the object-based interactive multimedia contents stored in the storage, storing the contents in the object-based internal material structure and examining errors of the contents by analyzing the contents; and

a file generating module for transferring edited and authored results of the object-based interactive multimedia contents stored in the object-based internal material structure to the storage.

(See, Hubbell, col. 26, line 19 through col. 52, line 34, teaching specifically object-oriented implementation, including storing the contents.)

See also, Hubbell, col. 47, Table 49, teaching checking files loaded from existing files for errors.)

Regarding **dependent claim 11**, Hubbell teaches:

The apparatus as recited in claim 10, wherein the file input and output processor further contains a form converting module for performing the form conversion between the internal material structure and the input and output form.

(See, Hubbell, col. 47, Table 50, teaching conversion module.)

Regarding **dependent claim 12**, Hubbell teaches:

The apparatus as recited in claim 11, wherein the form converting module changes a higher level authoring result to a lower level authoring result when the editing and authoring tool provides the higher and lower level authoring, and converts the edited and authored contents to the higher level file form which is not supported by the editing and authoring tool.

(See, Hubbell, col. 4, lines 33-55, col. 10, lines 4-17, and col. 11, lines 28-36, teaching higher and lower levels of editing as “passive” and “enhanced” editing controls, and changes between the states.)

Regarding **dependent claim 13**, Hubbell teaches:

The apparatus as recited in claim 1, wherein the media coding and decoding means includes:

a pre-post processor for performing a prior process and a post process required for the media coding and decoding;
a media coder for encoding media data so as to produce a media stream;
and
a media decoder for decoding a media stream to reproduce media data.

(See, Hubbell, col. 26, line 19 through col. 47, line 59, teaching pre- and post-process decoding of a media stream to produce media data.)

Regarding **dependent claim 14**, Hubbell teaches:

The apparatus as recited in claim 13, wherein the media coder or decoder further contains a media processing accelerator, which is hardware, dedicated for performing the media coding and decoding in real-time or a higher speed than real-time.

(See, Hubbell, figures 5-7 and 9, and col. 19, line 25 through col. 21, line 39, teaching the graphical user interface, GUI, with real time editing.)

Regarding **independent claim 15**, Hubbell teaches:

An object-based interactive multimedia contents authoring method for use in an object-based interactive multimedia contents authoring apparatus, comprising the steps of:

securing a new internal material structure and a new authoring space on a user interface, and receiving a plurality of parameters or initializing the authoring space to preset defaults;

authoring object-based interactive multimedia contents by inserting and deleting media objects based on the initialized authoring space and editing the user interactivity on an object basis and properties of objects; and

storing the authored object-based interactive multimedia contents in a binary or text form.

(Claim 15 incorporates substantially similar subject matter as claimed in claim 1 and is rejected along the same rationale.)

Regarding **independent claim 16**, Hubbell teaches:

A computer readable medium on which a program used in implementing an object-based interactive multimedia contents authoring apparatus employing a processor is recorded, comprising:

first program instruction means for securing a new internal material structure and a new authoring space on a user interface, and receiving a plurality of parameters or initializing the authoring space to preset defaults;

second program instruction means for authoring object-based interactive multimedia contents by inserting and deleting media objects based on the initialized authoring space and editing the user interactivity on an object basis and properties of objects; and

third program instruction means for storing the authored object-based interactive multimedia contents in a binary or text form.

(Claim 16 incorporates substantially similar subject matter as claimed in claim 1 and is rejected along the same rationale.)

7. It is noted that any citations to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. See, MPEP 2123.

Conclusion

8. The following prior art is made of record and not relied upon that is considered pertinent to applicants' disclosure:

Smith, et al. (U.S. Patent 6,320,600), teaching a web-based object oriented multimedia editing system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael K. Botts whose telephone number is 571-272-5533. The examiner can normally be reached on Monday through Friday 8:00-4:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

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supervisor, Heather Herndon can be reached on 571-272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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**DOUG HUTTON
PRIMARY EXAMINER
TECH CENTER 2100**